



A Report  
to the  
Board of  
Supervisors

Maricopa County  
Internal Audit  
Department

**Ross L. Tate**  
County Auditor

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# Juvenile Probation

*Documentation and Timeliness for  
Standard Probation and Diversion  
Cases could be Improved*

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January ■ 2008

Executive Summary	1
Introduction	2
Department Reported Accomplishments	8
Standard Probation	9
Diversion	11
Documentation	16
Performance Measures	19
Department Response	24

**The mission of Maricopa County** is to provide regional leadership and fiscally responsible, necessary public services so that residents can enjoy living in a healthy and safe community.

**The mission of the Internal Audit Department** is to provide objective, accurate, and meaningful information about County operations so the Board of Supervisors can make informed decisions to better serve County citizens.

The County Auditor reports directly to the Maricopa County Board of Supervisors, with an advisory reporting relationship to the Citizen's Audit Advisory Committee.

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January 11, 2008

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We have completed our review of the Juvenile Probation Department. This audit was performed in accordance with the annual audit plan approved by the Board of Supervisors. The specific areas reviewed were selected through a formal risk-assessment process.

Highlights of this report include the following:

- Juvenile probation officers for standard probation do not always make required contacts
- Assignment of diversion consequences have been delayed by several factors
- Juvenile probation officers do not always adequately document compliance with terms of probation and completion of diversion consequences

Within this report, you will find an executive summary, specific information on the areas reviewed, and the Juvenile Probation Department's response to our recommendations. We have reviewed this information with the Chief Juvenile Probation Officer and appreciate the excellent cooperation provided by management and staff. If you have any questions, or wish to discuss the information presented in this report, please contact Richard Chard at 506-7539.

Sincerely,

A handwritten signature in cursive script that reads "Ross L. Tate".

Ross L. Tate  
County Auditor

# Executive Summary

## **Standard Probation (Page 9)**

Juvenile probation officers do not always comply with court orders and Departmental policies when supervising juveniles on standard probation. Juvenile probation officers do not always make required contacts. This inconsistent and inadequate supervision could cause increased recidivism rates among juveniles. Juvenile Probation management should strengthen internal controls to ensure consistent compliance with Department policies.

## **Diversion (Page 11)**

Juvenile Probation's diversion process needs improvement; interviews could be conducted in a more timely manner and the referral of non-compliant cases needs to be defined and documented. Juvenile probation officers also closed Diversion cases as compliant without adequate evidence that juveniles had completed their assigned consequences. This causes the diversion process to be less effective and may increase recidivism rates. Juvenile Probation should expedite the diversion process and forward noncompliant cases to the County Attorney.

## **Documentation (Page 16)**

Juvenile probation officers do not always adequately document completion of community service hours, classes, and compliance with other required terms of probation and diversion consequences. Judges, management, and other interested parties may not have complete information needed in order to make decisions about juvenile cases. Juvenile Probation should require that standard probation and diversion case files contain sufficient documentation to evidence that terms of probation and consequences assigned have been completed.

## **Performance Measure Certification (Page 19)**

We examined seven Managing for Results key results performance measures and concluded that the Juvenile Probation data collection procedures are reliable and key results are accurately reported for four of the seven measures. We could not certify two measures because the reported results did not match our recalculation. We could not certify one measure due to lack of supporting documentation. Juvenile Probation should develop written instructions for collecting data and calculating results, and ensure all measures are accurate.

# Introduction

## Background

The Juvenile Probation Department (JPD) is mandated by Arizona Revised Statutes (ARS) to perform two main functions: provide supervision for those under orders of the court and maintain a detention center, separate from adult facilities, for delinquent and incorrigible juveniles. This report focuses on the supervision function.

### Vision, Mission, and Performance Measures

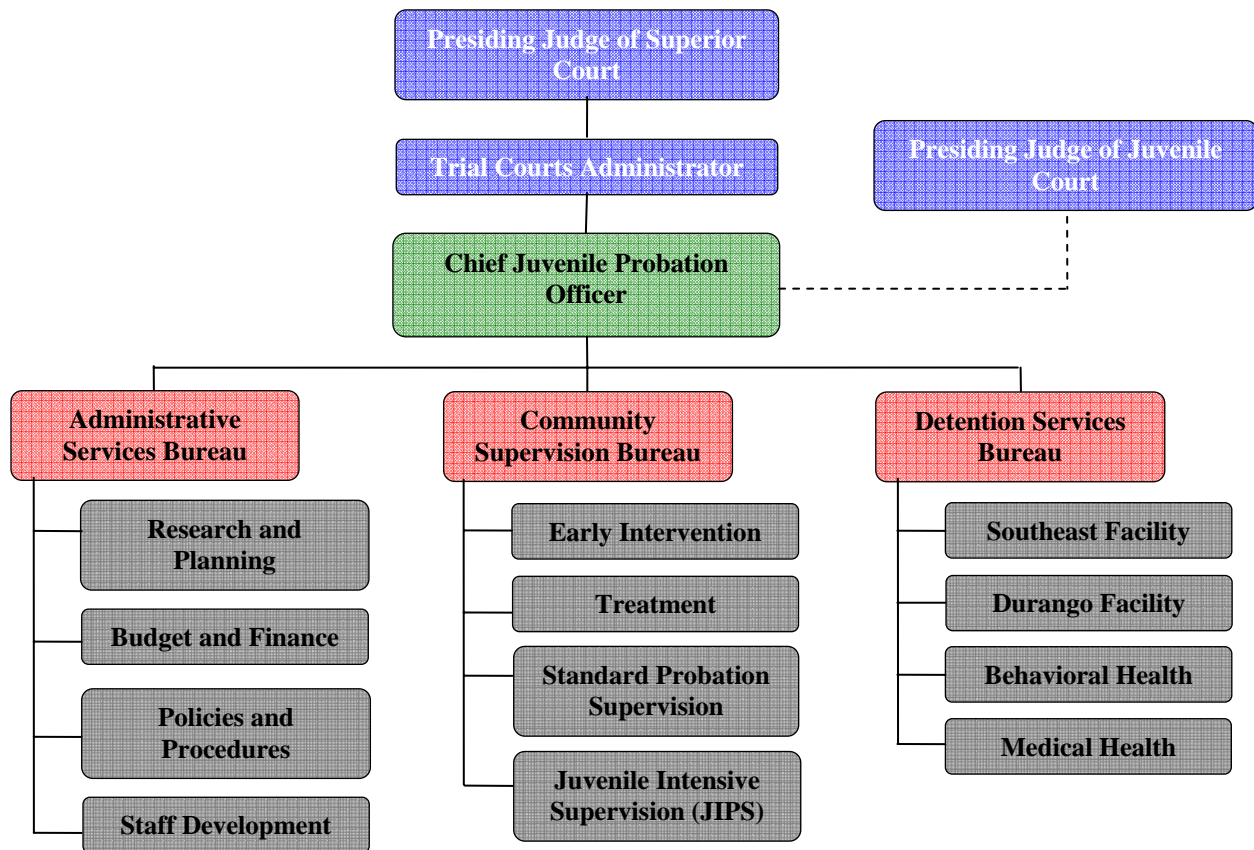
Maricopa County Juvenile Probation is a place where justice means promoting public safety while improving and enriching the lives of youth, victims, families, and the community. The mission of JPD is to provide access to evidence-based early intervention, supervision, treatment, and secure care for youth and families so that youth learn accountability and responsibility, and community safety is enhanced. JPD reported that a new mission and vision will be introduced in January 2008.

JPD uses an approach that balances the principles of community safety, accountability and skill development, and treatment with restorative justice which attempts to involve the victim, community, and juvenile in the judicial process.

JPD has 32 key performance measures across six programs. These programs are Juvenile Early Intervention, Juvenile Treatment, Juvenile Probation Supervision, Juvenile Detention, Administration Services, and Information Technology. We reviewed 7 of the 32 measures.

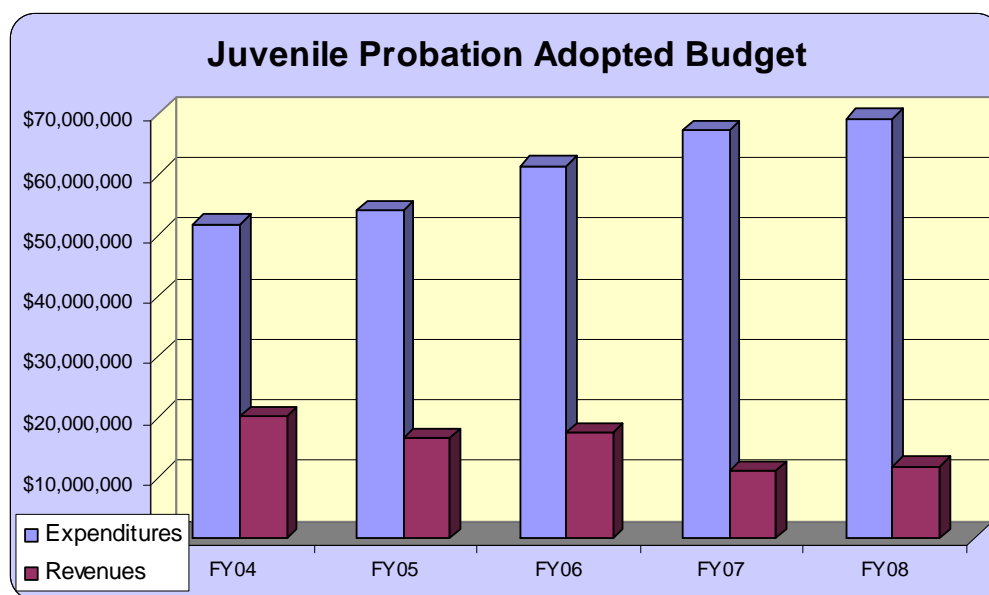
### Organizational Structure

The Chief Juvenile Probation Officer is an appointed official who reports to the Trial Court Administrator and Presiding Judge. Reporting to the Chief Juvenile Probation Officer are three deputies, each in charge of a bureau: Administrative Services, Community Supervision, and Detention Services. Within each bureau are various programs that range from finance to medical health.



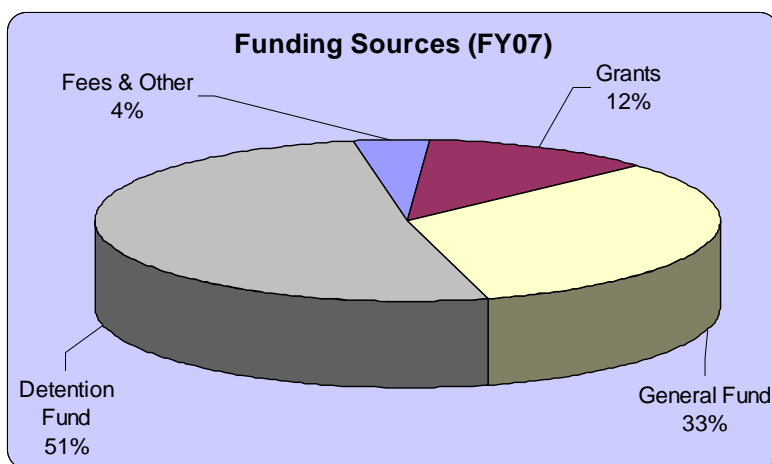
## Operating Budget

The JPD adopted operating budget for Fiscal Year (FY) 2008 is \$69.2 million in expenditures and \$11.9 million in revenues. As indicated in the chart below, expenditures have increased over time.



JPD's largest expenditures are related to personnel costs, which have consistently accounted for 83% of total expenditures, with general expenditures and capital expenditures accounting for the remainder at 16 percent and one percent, respectively. As of July 2007, JPD reported 957 authorized full-time equivalent positions (not all authorized positions are funded).

JPD is funded largely by the Detention and County General Funds. Detention Funds are primarily from a dedicated sales tax approved by voters, along with a "Maintenance of Effort" allocation from the General Fund and other jail-related revenues. Other Juvenile Probation funding sources are grant revenue, interest earnings, and a small amount of revenue from administrative fees assessed against juveniles and their parents. The chart below summarizes funding sources in FY07.



## Juvenile Probation Programs

### Diversion

The Diversion Program is sponsored by the County Attorney and designed to prevent the escalation of delinquent and incorrigible behaviors in juveniles by giving the juvenile an opportunity to satisfy his or her obligation to the state and victim without going to trial.

If a juvenile is accused of a crime, and that juvenile is not a chronic or violent felony offender and has not been charged with driving under the influence, the County Attorney may divert the prosecution of the juvenile. If this occurs, depending on the violation, the juvenile either has an appointment with a probation officer or is immediately diverted into a community-based alternative program. If the juvenile meets with the probation officer, the probation officer decides which consequences will work best for the juvenile. All juveniles whose cases have been diverted must satisfy minimum mandated criteria including the following:

#### **Diversion Eligible Offenses**

- Truancy
- Shoplifting
- Curfew Violations
- Trespassing
- Traffic Offenses
- Drug Possession

- Acknowledging responsibility for the illegal act
- Participating in unpaid community service work and/or an approved counseling, education, rehabilitation, or supervision program
- Paying restitution to the victim
- Paying a monetary assessment

### Standard Probation

Most juvenile offenders go through a diversion program; however, some have to appear before a judge. During a juvenile's disposition hearing, the judge, taking into consideration the probation officer's recommendations, may decide to put the juvenile on probation. The judge then will assign consequences which are documented in the court order/disposition report. After the disposition hearing, the probation officer will implement the terms of probation, as ordered by the court, plus standard probation terms. When on standard probation, the juvenile must attend school (or work if over 16), meet with his or her probation officer regularly, obey all laws, and follow any other requirements set by the judge in the court order.

The juvenile could remain on probation until his 18<sup>th</sup> birthday; however, the juvenile may be released from probation prior to one year if all of the following conditions are met:

- The juvenile is not charged with a subsequent offense
- The juvenile has not been found in violation of a condition of probation
- The court does not feel the juvenile is a threat to the community or himself
- The offense for which the juvenile was placed on probation was not violent, did not involve deadly weapons, and was not a sexual offense

If a juvenile does not comply with terms of probation, the probation officer may "violate" the probation. If this happens, the juvenile may have to go back to court and the judge may modify the terms of probation or place the juvenile on Juvenile Intensive Probation Status (JIPS). This type of probation requires that JPD provide additional supervision and contacts with the juvenile.

In FY07, JPD had an average of 4,300 juveniles on standard probation and 520 juveniles on JIPS. Approximately 12,000 juveniles were assigned to some sort of diversion or community-based alternative program in Maricopa County in FY07.



## **Scope and Methodology**

### Audit Objectives

The objectives of this audit were to:

- Determine if standard probation officers adhere to Juvenile Court Orders (and statutes related to the Court Order) and Departmental policies when supervising juveniles on probation.
- Determine if JPD timely conducts interviews, assigns consequences, monitors progress, and reports unsuccessful completions of juveniles assigned to diversion.
- Determine if the Juvenile Probation Department's key performance measure data is accurate and reliable so that adequate planning and budgeting decisions can be made.
- Conduct a Minimum Accounting Standards Review

### Audit Timeframe

To achieve these objectives we selected a sample of standard probation cases and diversion cases to review. The audit period covered fiscal years 2005, 2006, and 2007.

### Audit Standards

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## **Related Audit Activities**

The Arizona Supreme Court, Administrative Office of the Courts (AOC) requires a Minimum Accounting Standards (MAS) Review by an independent accountant at least every three years to determine compliance with specific agreed-upon procedures which are designed to standardize accounting practices and procedures and keep the financial operations in compliance with statutes and Generally Accepted Accounting Principles. We conducted this MAS review for fiscal years 2005-2007 in conjunction with this audit. That report was issued separately to the AOC in November 2007. A copy of that report is available upon request.

On July 30, 2007, the JPD converted the Juvenile Online Tracking System (JOLTS), the system used to account for transactions related to diversion and restitution, to the Integrated Court Information System (iCIS). Information from JOLTS was transferred to iCIS during this conversion. Based on discussions with iCIS end users, it was reported that data integrity errors (e.g., data bleeding) is currently occurring in various modules and sections of the iCIS system. We used information from iCIS to verify contacts were made with juveniles when required and to determine assignment dates for diversion programs. The information appeared reasonable based on our review and there did not appear to be any issues with this data. An Information Technology (IT) review in Juvenile Probation is currently underway by our Department and a separate report will be issued at a later date.

There are also audits by other agencies being conducted at approximately the same time as our review. The Arizona Administrative Office of the Courts is conducting an operational review of JPD. The review evaluates compliance with applicable statutes, Supreme Court administrative orders, funding agreements, juvenile court rules, program plans, and policies and procedures. The Arizona Auditor General is also conducting two reviews. One is of the Durango Juvenile Detention Center and the other is of treatment services. We took this into consideration when setting the scope of our work. These reports can be requested from the agencies conducting the work.

# Department Reported Accomplishments

**Juvenile Probation has provided the Internal Audit Department with the following information for FY 2007 for inclusion in this report.**

- A probation level system was designed and implemented supporting the Department's efforts to ensure moderate and high risk youth receive the supervision and treatment services needed and enhancing the Department's ability to partner with other stakeholders in promoting community safety.
- The Community Supervision Bureau, with the support of the Administrative Services Bureau, successfully managed the treatment resources provided by the Administrative Office of the Courts to eliminate a projected substantial deficit.
- The Department made updating/revising all Departmental policies and procedures a top priority, with a goal of completion by the end of FY 2008. Numerous staff throughout all levels of the organization have been diligently working to accomplish this goal.
- The Sunnyslope probation office was relocated and juvenile and adult probation officers and staff are now in a building with significantly increased safety and an overall environment which provides better working conditions.
- The Early Intervention division was successful in their work with over 15,000 youth, thereby reducing the number of young people entering detention and ultimately decreasing probation caseloads.
- The Special Supervision/Sex Offender Unit received the Arizona Quality Alliance – Showcase in Excellence Award, which recognizes organizations for specific process excellence.
- Probation officers, detention staff and the juvenile bench worked together to reduce the average length of stay in detention from 17.2 days in July 2006 to 15.3 days in June 2007.
- The Detention Services Bureau opened orientation units at both the Durango and Southeast Detention Facilities. The purpose of these units is to provide newly detained youth the attention and specialized programming necessary to be successful in detention and advance through the Behavioral Management Level System.
- Employee Dr. Scott Hermann was recognized and presented with the Trainer Excellence Award by the Administrative Office of the Courts for his training in suicide prevention/intervention.
- The Administrative Services Bureau provided the necessary support to the County and the Judicial Branch in the implementation of several market studies. Overall, 97% of staff received some level of salary increase.
- Administrative Services Bureau staff worked with the Administrative Office of the Courts to successfully coordinate the selection of a retirement plan for over 700 probation and detention officers who were, for the first time, given the opportunity to remain with the Arizona State Retirement System or enroll in the Corrections Officer Retirement Program.

# Issue 1 Standard Probation

## Summary

Juvenile Probation Officers (JPOs) do not always comply with court orders and Departmental policies when supervising juveniles on standard probation. JPOs do not always make required contacts. This inconsistent and inadequate supervision could cause increased recidivism rates among juveniles. Juvenile Probation management should strengthen internal controls to ensure consistent compliance with Department policies.

## Criteria

ARS §8-371 requires that juveniles on probation attend school (if the juvenile is more than 16 years old, he or she can meet this requirement by obtaining employment), meet with a JPO regularly, remain drug free, obey all laws and not associate with anyone violating the law. The juvenile must also comply with any other special terms ordered by the court such as attending classes, counseling, or taking drug tests.

Department policy requires that a JPO make a certain number of contacts with the juvenile, the parent or guardian, and the school and/or employer. Policy also requires that each case file contain specific information. A case file consists of a working file and a “red file,” which is the case file given to the judge prior to each hearing. This file must include items such as:

- Risk needs assessments
- Terms of probation
- Verification of court ordered community service hours
- National Curriculum and Training Institute (NCTI) certificates
- Verification of compliance with other required terms of probation

## Condition—Contact Requirements

Department Policy requires that JPOs make contacts with juveniles, the parent or guardian, school, and work periodically. These contacts are to be documented in the contact logs in JOLTS/iCIS. We found that these contact requirements were often not met. Compliance with contact requirements are shown on the next page. JPD management reports that, due to system-conversion problems, contact data reviewed may be incomplete and understated.

Contact Requirement Per Department Policy	# of Juveniles Requiring Contact	# of Juveniles who Received Required Contacts	% Meeting Contact Requirements
One face to face contact per month with juvenile	39	25	64.1%
One contact per month with parent/guardian	39	14	35.9%
At least every other month must be face to face (with parent/guardian)	39	17	43.6%
One face to face contact with school personnel at each school juvenile is attending every three months	37	21	56.8%
Employment must be verified once a month	9	0	0.0%
One face to face contact per week if juvenile is in detention	6	2	33.3%
If juvenile is on administrative status, must contact parent/guardian once per month by phone	8	4	50.0%

## Effect

Juveniles who end up on probation often do not have a stable adult in their lives. When they are placed on probation, they often look to the JPO as that stable adult. If contacts are not made as often as required, juveniles who are at risk of reoffending or who have behavioral problems could go several months without speaking with their JPO.

## Cause

Department management stated that prior to a recent increase in probation officer salaries the Department was understaffed. These vacancies may have contributed to a number of juvenile contacts being missed. In addition, Department management reported that when an officer has too many cases, they will often prioritize the cases. When this occurs, some juveniles only receive phone contacts until they can be reassigned.

## Recommendation

Juvenile Probation should update policies and procedures dealing with documentation of contacts with juveniles, parents/guardians, and school administrators or employers and ensure all probation officers follow the same procedures.

# Issue 2 Diversion

## Summary

Juvenile Probation's diversion process needs improvement; interviews could be conducted in a more timely manner and the referral of non-compliant cases needs to be defined and documented. JPOs also closed Diversion cases as compliant without adequate evidence that juveniles had completed their assigned consequences. This causes the diversion process to be less effective and may increase recidivism rates. Juvenile Probation should expedite the diversion process and forward noncompliant cases to the County Attorney.

## Criteria

Juveniles are diverted either to a community based alternative program or to a diversion program administered by JPD. In both programs the beginning process and desired outcomes are the same. The County Attorney has established criteria allowing for the automation of the diversion decision process.

### ARS (§ 8-321) Referrals; diversions; conditions; community based alternative programs

The County Attorney has sole authority to assign juveniles to a community based alternative program or a diversion program administered by the juvenile court instead of having their case go to trial. It requires a Juvenile Probation Officer do the following when a juvenile is being diverted:

- Meet with the juvenile to conduct a personal interview and assign the juvenile consequences. (For Community Based Alternative programs the meeting must occur within 30 days of referral by the County Attorney.)
- Assign consequences that consist of one or more of the following: counseling program, education program, rehabilitation program, unpaid community service, monetary assessment, or restitution.
- Monitor the juvenile's progress to determine when consequences are completed. (For Community Based Alternative programs, the juvenile must complete established consequences within 90 days of referral by the County Attorney. The probation officer may extend the time frame to complete the consequences for good cause.)
- If a juvenile fails to admit responsibility for the offense or unsuccessfully completes the consequences assigned, Juvenile Probation is to submit the case to the county attorney for review.

### U. S. Department of Justice – Office of Justice and Delinquency Prevention (Focus on Accountability: Best Practices for Juvenile Court and Probation)

Effective diversion programs hold offenders accountable for the offenses committed, takes steps to repair the damage caused by their actions, and provides swift and certain consequences.

## Departmental Policies and Procedures

Juvenile Probation has developed a Community Service Division Manual. The philosophy section of the manual states that JPD contributes to public safety by providing quick response to violations. In addition the manual requires JPOs to:

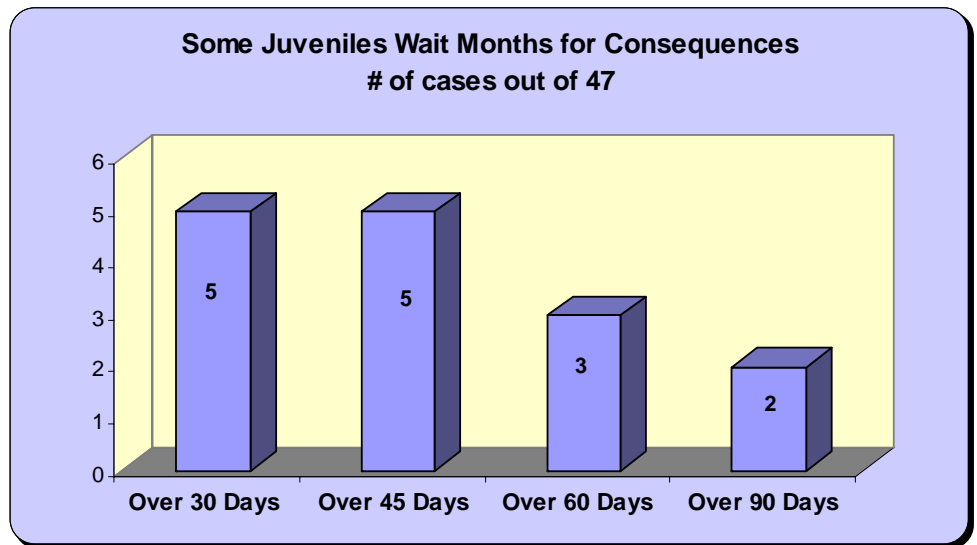
- Schedule an initial interview with a juvenile assigned to diversion within 30 days. (Juvenile Probation interprets this as contacting the juvenile within 30 days to establish a meeting sometime in the future.)
- Monitor the juvenile to determine if the juvenile completes the consequences in approximately 60 days.
- Extend the timeframe if the JPO reasonably believes the juvenile will complete the consequences.
- Close and adjust the case if the juvenile has completed at least 80% of the consequences, the juvenile showed good faith, and the reason for noncompliance was not the fault of the juvenile.
- Issue a “STOP” on the complaint and flag it for “REACT” (reactivation) if the juvenile commits another offense if the juvenile is noncompliant or a no-show for a status offense.

### **Condition—Assignment Delays**

Although not specific to Juvenile Probation’s diversion programs, ARS 8-321 has established timeframes requiring Community Based Alternative programs to assign consequences within 30 days. Juvenile Probation has established their own time frames through internal policy which allow more time to elapse before the juvenile is assigned consequences than the Statute. JPD’s Community Service Division Manual only requires that JPO attempt to contact the juvenile to establish an appointment where the consequences will be assigned within 30 days.

We found 15 of 47 (31%) juveniles in our sample did not have consequences assigned within 30 days of referral by the County Attorney. While we believe 30 days constitutes good practice, it is not required by statute or Departmental policy. One juvenile was not assigned consequences for 98 days. JPD did not even attempt to contact nine of these juveniles within 30 days of referral, a discrepancy with JPD’s internal policy manual. The distribution of cases exceeding 30 days is as follows.

*An effective diversion program will hold juveniles accountable for offenses committed and provide **swift** and certain consequences.*  
*--U.S Department of Justice*  
*Office of Juvenile Justice Delinquency Prevention, 1999 JAIBG bulletin*

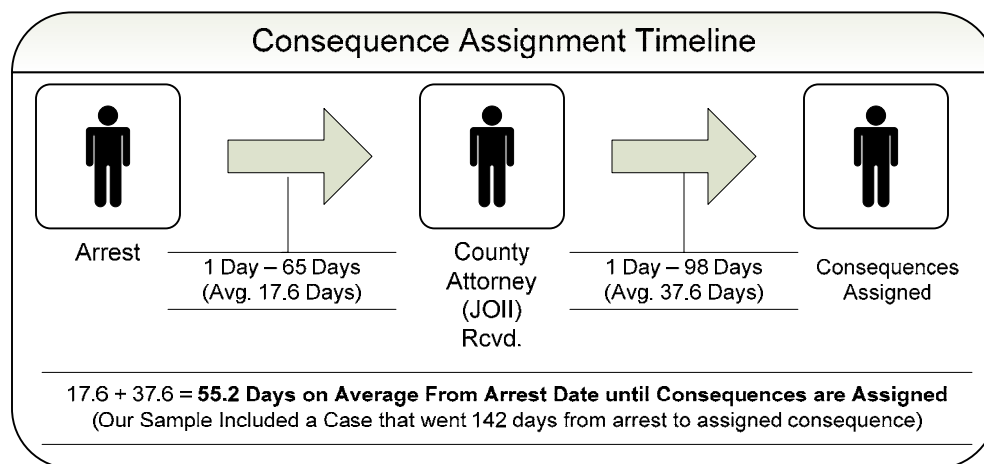


**Source: Audit Analysis**

To compound this, we found that 45% of the cases in our sample were not initially forwarded from the arresting agency to either the County Attorney or JPD for at least 15 days, with 6% taking more than 30 days to be forwarded.

## Effect

Delays in the diversion process interfere with the immediacy of the consequences and lessen their effectiveness. In some cases these delays caused the juvenile not to be seen for months after the offense was committed as illustrated below.



**Source: Audit Analysis**

## Cause

There are multiple agencies involved in the diversion process from the arresting agency to counseling or community service organizations. These other agencies contribute to delays in processing a juvenile as case files are transferred between agencies, but Juvenile Probation can compound the problem by delaying initial interviews.



Juvenile Probation does not consider itself a community based alternative program and as such the Juvenile Probation Community Service Division Manual is not consistent with ARS. In addition, JPD has not always followed its internal manual when setting up initial interviews.

### **Condition—Consequences Completion and Extensions**

JPD internal policy requires juveniles to complete consequences within 60 days of being assigned consequences. If the consequences are not completed, the JPO should submit the case to the County Attorney for review or grant an extension if there is a good reason. JPD policies do not require supervisory approval to grant an extension but do require adequate justification. Internal policy also does not require some minor offenses be forwarded to the County Attorney for non-compliance.

Our review determined 18 of 47 (38 percent) juveniles in our sample did not complete their consequences within 60 days of being assigned. Only three cases were granted extensions and only four cases were submitted to the County Attorney. Of the three cases granted extensions, there was no documentation on file to support why extensions were granted. Of the remaining 11 cases, 2 cases were never completed and were not submitted to the County Attorney. Nine cases were completed subsequent to the 60 days, but no extensions were granted.

**Completion of Consequences Summary  
for 47 Juveniles Assigned Diversion Consequences**

<b>Case Status</b>	<b>Compliance Status</b>	<b># of Cases</b>
Completed within 60 days of consequence assignment	Compliant	29
Did not complete assigned consequences but forwarded to the County Attorney	Compliant	4
Cases granted an extension (there was no supporting documentation why extension was granted)	Other*	3
Did not complete assigned consequences and cases were not forwarded to County Attorney	Non-Compliant	2
Did not complete consequences within 60 days of referral and cases were not granted extensions	Non-Compliant	9
Total		47

\*ARS 8-321 & JPD policy allow extensions for good cause. We were not able to determine if good cause existed since files did not include documents supporting why extensions were granted.

## **Effect**

Juvenile Probation's lack of consequence enforcement may encourage delinquent or incorrigible behavior in the future increasing recidivism rates.

## **Cause**

According to Juvenile Probation, the County Attorney's Office has requested that JPD not forward certain types of non-compliant cases including diversion eligible status offenses, city ordinance citations, and specific Title 29 traffic citations. JPD is in the process of formalizing this with the County Attorney.

Juvenile Probation does not require supervisors to approve extensions for noncompliance with assigned consequences and documentation for extensions is not maintained in the case files.

An interview with diversion supervisors suggested probation officers handling drug diversion case loads are understaffed.

## **Recommendations**

Juvenile Probation should:

- A.** Update its Community Service Division Manual to expedite the diversion process.
- B.** Require that JPOs document the reason extensions were granted and that supervisors approve the extensions.
- C.** Forward non-compliant diversion cases to the County Attorney or obtain written guidance from the County Attorney specifying which noncompliant cases do not need to be forwarded.
- D.** Continue to perform regular reviews of staffing assignments to better allocate resources to areas not meeting State Statutes and Internal Policies.

# Issue 3 Documentation

## Summary

JPOs do not always adequately document completion of community service hours, classes, and compliance with other required terms of probation and diversion consequences. Judges, management and other interested parties may not have complete information needed in order to make decisions about juvenile cases. JPD should require that standard probation and diversion case files contain sufficient documentation to evidence that terms of probation and consequences assigned have been completed.

## Criteria

Both the Standard Probation and Summary Probation Term forms state that the juvenile is to provide written proof to their probation officer of community service hours completed.

Department form #2740-4020 outlines what each “red file” should contain. The red file is the folder that is given to the judge prior to each hearing and must contain items such as:

- Risk assessments
- Terms of probation
- Verification of court ordered community service hours
- NCTI certificates
- Verification of compliance with other required terms of probation

## Condition

### Standard Probation Case Files

The standard probation physical cases files often lacked documentation. Many files lacked certificates of completion from assigned classes, forms verifying community service hours performed, or attendance records from schools. We found that:

- Of the 26 juveniles in our sample who completed their community service requirements, only nine had documentation from the location where the service was performed. The remaining 17 only had the number of hours and date entered into iCIS; there was no proof the actual service took place.
- Only six of 15 of the juveniles who were assigned and completed classes according to iCIS entries had a certificate or other documentation in their case file.
- Ten juveniles completed required apology letters according to iCIS entries; but, only five were documented in the case files.
- In 14 instances, the case files had no attendance records or entries in iCIS that would indicate whether the juvenile was attending school or work as required by the terms of probation.

### Diversion Case Files

JPD does not always maintain documentation to prove that juveniles completed assigned consequences. For 16 of the 47 case files reviewed, we were not able to verify that consequences were completed. We also noted during our review the following two cases had the consequences adjusted and closed; however, the contact logs show conflicting information indicating that the consequences may not have been completed.

- Case 1: The juvenile was assigned to complete an apology letter after being denied access to an assigned class for arriving late. The contact log shows the probation officer unsuccessfully attempted contact two days later and the case file was closed.
- Case 2: The juvenile was assigned to complete work hours. The case was closed 61 days after assignment. The contact log shows an unsuccessful contact over a month after the case was closed. The log, dated a month later, states the case was closed.

We reviewed these two instances with the supervisor who agreed these instances looked questionable. Case files that lack supporting documentation could be closed when the juvenile may still be noncompliant with assigned consequences.

### Missing Case Files

In addition, we found that JPD could not locate 2 of 50 standard probation case files (working file and red file) in our sample and was unable to locate an additional red file.

### **Effect**

When a case file, or a large portion of one, is missing, judges, JPOs, and other interested parties would not be able to determine if the juvenile had complied with all assigned terms of probation or completed diversion consequences or determine why a juvenile was released when the file appears to indicate that the juvenile should not have been released. Judges and management may not have complete information needed in order to make decisions about the juvenile.

### **Cause**

JPD does not require documents evidencing that the juvenile completed classes, community service hours, and other terms of probation or diversion consequences be maintained in case files or as digital documents.

JPD management indicated that often they obtain verification either verbally or in an email listing multiple juveniles from the agency where service or a class was completed and then the information is entered into iCIS.

Schools will not always provide attendance records; therefore, written documentation of attendance at school or work is not required by the Department. The JPO is, however, required to verify this periodically according to Departmental policy.

JPD does not have a system for tracking the physical location of the case files and does not require files to be signed for when they are removed from the file room.

## **Recommendations**

Juvenile Probation should:

- A.** Require that standard probation and diversion case files contain sufficient documentation to evidence that terms of probation and consequences assigned have been completed.
- B.** Create a method to track case files when they are transferred to a different location or removed from the file room.

# Issue 4 Performance Measure Certification

## Summary

We examined seven Managing for Results key results performance measures and concluded that the Juvenile Probation data collection procedures are reliable and key results are accurately reported for four of the seven measures. We could not certify two measures because the reported results did not match our recalculation. We could not certify one measure because of the lack of supporting documentation. Juvenile Probation should develop written instructions for collecting data and calculating results, and ensure all measures are accurate.

## Results Summary Table

Juvenile Probation Performance Measures	Certified	Certified with Qualifications	Not Certified
Percent of juvenile offenders who successfully completed Juvenile Court Diversion within the last 12 months and were not referred for a delinquent offense by the end of the reporting period.	✓		
Percent of juvenile offenders who successfully completed Juvenile Sex Offender Treatment within the prior 12 months and were not referred to the juvenile court for a delinquent offense by the end of the reporting period.			✓
Percent of juvenile offenders who successfully completed Youth Recovery Academy within the prior 12 months and were not referred to the juvenile court for a delinquent offense by the end of the reporting period.	✓		
Percent of JIPS probationers successfully released from probation in the prior twelve months that did not have a new delinquent referral by the end of the reporting period.	✓		
Percent of pre-adjudication/pre-disposition reports completed on time during the reporting period.			✓
Percent of probationers successfully released from standard probation in the prior 12 months that did not have a new delinquent referral by the end of the reporting period.	✓		
Percent of requested behavioral health services that were provided.			✓

## County Policy Requirements

Maricopa County Board of Supervisors Policy B6001 (4.D Evaluating Results) requires the Internal Audit Department to review County Departments' strategic plans and performance measures and report on results. The following information defines the results categories that are used in the certification process.

### Definitions

Certified: The reported performance measurement is accurate (+/-5%) and adequate procedures are in place for collecting/reporting performance data.

Certified with Qualifications: The reported performance measurement is accurate (+/-5%) but adequate procedures are not in place for collecting and reporting performance data.

Not Certified:

- 1) Actual performance is not within five percent of reported performance and/or the error rate of tested documents is greater than five percent.
- 2) Actual performance measurement data could not be verified due to inadequate procedures or insufficient documentation. This rating is used when there is a deviation from the Department's definition, preventing the auditor from accurately determining the performance measure result.
- 3) Actual performance measurement data was accurately calculated but not consistently posted to the public database.

### Measure Testing

#### *Key Measure #1*

Description: Percent of juvenile offenders who successfully completed Juvenile Court Diversion within the last 12 months and were not referred for a delinquent offense by the end of the reporting period.

Results: **Certified**

Measure #1	FY06	FY07
Reported	90%	90%
Actual	90.2%	89.3%

The measure is accurate and procedures are in place for the collection and reporting of data.

### *Key Measure #2*

Description: Percent of juvenile offenders who successfully completed Juvenile Sex Offender Treatment within the prior 12 months and were not referred to the juvenile court for a delinquent offense by the end of the reporting period.

Results: **Not Certified**

Measure #2	FY06	FY07
Reported	86%	95%
Actual	92.5%	95.1%

The measure was not accurate in FY06; however, it was accurate in FY07 and written procedures are in place for the collection and reporting of data.

### *Key Measure #3*

Description: Percent of juvenile offenders who successfully completed Youth Recovery Academy within the prior 12 months and were not referred to the juvenile court for a delinquent offense by the end of the reporting period.

Results: **Certified**

Measure #3	FY06	FY07
Reported	79%	75%
Actual	82.5%	75.5%

The measure is accurate and procedures are in place for the collection and reporting of data.

### *Measure #4*

Description: Percent of JIPS probationers successfully released from probation in the prior twelve months that did not have a new delinquent referral by the end of the reporting period.

Results: **Certified**

Measure #4	FY06	FY07
Reported	81%	80%
Actual	80.3%	80.5%



The measure is accurate and written procedures are in place for the collection and reporting of data. However, the calculation method does not accurately reflect the spirit of the measure. For example, if a juvenile is successfully released from JIPS, he or she is included in the number of juveniles released. If that juvenile then turns 18 and commits a crime, it will not be reflected in the number of referrals. In addition, juveniles who commit status offenses (truancy, curfew, minor in possession of alcohol, etc.) or who violate terms of probation are not included in the number of referrals.

*Measure #5*

Description: Percent of pre-adjudication/pre-disposition reports completed on time during the reporting period.

Results: **Not Certified**

Measure #5	FY06	FY07
Reported	97%	90%
Actual	97.4%	99.6%

The calculation method for this measure has changed several times since the beginning of FY06. During this period, it has included different demands and results. As such, the measure has not been consistently accurate during FY06 and FY07. In addition, written procedures are not in place for the calculation of data.

*Measure #6*

Description: Percent of probationers successfully released from standard probation in the prior 12 months that did not have a new delinquent referral by the end of the reporting period.

Results: **Certified**

Measure #6	FY06	FY07
Reported	89%	89%
Actual	89.0%	90.2%

The measure is accurate and written procedures are in place for the collection and reporting of data. However, the calculation method does not accurately reflect the spirit of the measure. For example, if a juvenile is successfully released from standard probation, he or she is included in the number of juveniles released. If that juvenile then turns 18 and commits a crime, it will not be reflected in the number of referrals. In addition, juveniles who commit status offenses (truancy, curfew, minor in possession of alcohol, etc.) or who violate terms of probation are not included in the number of referrals.

*Measure #7*

Description: Percent of requested behavioral health services that were provided.

Results: **Not Certified**

Measure #7	FY06	FY07
Reported	100%	100%
Actual	n/a	n/a

Because of a lack of available information, we were not able to recalculate the measure. Demand is tracked based on physical observations of an email inbox, which does not allow for us to recreate past demands.

**Recommendation**

Juvenile Probation management should:

- A. Revise all recidivism measures to ensure they reflect true recidivism rates.
- B. Revise the detention behavioral health measure to allow for better tracking of demand.
- C. Develop written instructions for collecting data and calculating results for all measures.

## **Department Response**

**SUPERIOR COURT • JUVENILE PROBATION DEPARTMENT**  
**Maricopa County**

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DURANGO FACILITY – 3131 West Durango Phoenix, AZ 85009-6292 – (602) 506-4011 – (602) 506-4143 (TTD)  
SOUTHEAST FACILITY – 1810 South Lewis Street Mesa, AZ 85210-6234 – (602) 506-2619 – (602) 506-2260 (TTD)

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CAROL L. BOONE, Chief Juvenile Probation Officer

**AUDIT RESPONSE**  
**JUVENILE PROBATION DEPARTMENT**  
**JANUARY 9, 2007**

**Issue #1:**

**Standard Probation:** Juvenile Probation Officers do not always comply with court orders and departmental policies when supervising juveniles on standard probation. JPOs do not always make required contacts.

**Response:** Concur. While the Department does not assert that compliance with contact requirements is 100%, it is believed that Juvenile Probation Officers are making contacts with juveniles and their families at a higher rate than reported. Inaccuracies have been discovered in the automated contact logs since the Department's conversion to the integrated Court Information System (iCIS). The Department is currently working with Court Technology Services (CTS) to address this issue.

**Recommendation:** Update policies and procedures dealing with documentation of contacts with juveniles, parents/guardians, and school administrators or employers and ensure all probation officers follow the same procedures.

**Response:** Concur. In March 2007 the Juvenile Probation Department implemented a new supervision strategy which includes a level system with corresponding contact requirements. On December 18, 2007 the Department issued Policy and Procedure III.A(4) (Field Standard Probation Supervision) relating to this topic.

**Target Completion Date:** Completed

**Issue #2:**

**Diversion:** Juvenile Probation's diversion process needs improvement; interviews could be conducted in a more timely manner and the referral of non-compliant cases needs to be defined and documented. Juvenile Probation Officers also closed Diversion cases as compliant without adequate evidence that juveniles had completed their assigned consequences.

**Response:** Concur. A.R.S. §8-321 (P) requires the case to be submitted to the County Attorney for review if the juvenile fails to comply with the consequences set by the community based alternative program. Again, statute is silent with respect to diversion

programs administered by the Juvenile Probation Department. However, the Department is in the process of revising/updating the policies and procedures relating to Diversion. As part of this effort, the Department is redefining timelines for the review of cases, scheduling of interviews and the completion of consequences in order to resolve Diversion cases in a timelier manner. The Department is also requiring additional documentation and supervisory overview to ensure cases are appropriately processed and exceptions noted.

**Recommendation A:** Update its Community Service Division Manual to expedite the diversion process.

**Response:** Concur. This task is in process and as with revision of all Departmental policies and procedures, the goal is for this to be completed during FY 2008.

**Target Completion Date:** 6/30/08

**Recommendation B:** Require that JPOs document the reason extensions were granted and that supervisors approve the extensions.

**Response:** Concur. The Juvenile Probation Department is in the process of revising/updating the policies and procedures relating to Diversion. In this process, the following requirement has been established to ensure extensions are granted and have been approved by supervisors:

Juvenile Probation Officers and supervisors will staff any case that goes beyond the completion extension date and note exceptions in the iCIS contact log.

**Target Completion Date:** 6/30/08

**Recommendation C:** Forward non-compliant diversion cases to the County Attorney or obtain written guidance from the County Attorney specifying which noncompliant cases do not need to be forwarded.

**Response:** Concur. The Department is working with the County Attorney's Office to obtain written documentation of which noncompliant cases should, and should not, be returned to the County Attorney for review.

**Target Completion Date:** 6/30/08

**Recommendation D:** Continue to perform regular reviews of staffing assignments to better allocate resources to areas not meeting State Statutes and Internal Policies.

**Response:** Concur. The Department's management team meets periodically to review and allocate/reallocate resources when necessary, and as resources permit.

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Target Completion Date: 6/30/08

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Response: Concur. The Department is working with the County Attorney's Office to obtain written documentation of which noncompliant cases should, and should not, be returned to the County Attorney for review.

Target Completion Date: 6/30/08

**Recommendation D:** Continue to perform regular reviews of staffing assignments to better allocate resources to areas not meeting State Statutes and Internal Policies.

Response: Concur. The Department's management team meets periodically to review and allocate/reallocate resources when necessary, and as resources permit.

Target Completion Date: N/A

**Issue #3:**

**Documentation:** Juvenile Probation Officers do not always adequately document completion of community service hours, classes, and compliance other required terms of probation and diversion consequences.

Response: Concur. Through the Department's policy and procedure revision project for FY 2008, expectations for documentation of completion of community service hours, classes and compliance with other required conditions of probation and diversion consequences is being defined. Departmental staff are also working to develop a method of tracking program and consequence completion outside of iCIS.

**Recommendation A:** Require that standard probation and diversion case files contain sufficient documentation to evidence that terms of probation and consequences assigned have been completed.

Response: Concur.

Target Completion Date: 6/30/08

**Recommendation B:** Create a method to track case files when they are transferred to a different location or removed from the file room.

Response: Concur. Currently, when a case is transferred from one officer to another or the case file is sent to court pending a court hearing, Juvenile Probation Officers/supervisors are to document the reassignment/location of the file in the contact log in iCIS and in the working file. Improvement in staff complying with this process can be made. The Department is also in the process of identifying/implementing an effective method of tracking cases being checked into and out of the file rooms.

Target Completion Date: 6/30/08

**Issue #4:**

**Performance Measures:** We examined seven Managing for Results key results performance measures and concluded that the Juvenile Probation data collection procedures are reliable and key results are accurately reported for four of the seven measures. We could not certify two measures because the reported results did not match our recalculation. We could not certify one measure because of the lack of supporting documentation.

Response: Concur.

**Recommendation A:** Revise all recidivism measures to ensure they reflect true recidivism rates.

**Response:** Concur. During the past year the Juvenile Probation Department held several meetings to discuss and revise performance measures as part of the overall Managing for Results (MfR) process. Staff from the Office of Management and Budget (OMB) participated in this process with the Department. It is anticipated that the new measures will be adopted and become effective in FY 2009.

**Target Completion Date:** 7/1/08

**Recommendation B:** Revise the detention behavioral health measure to allow for better tracking of demand.

**Response:** Concur. This measure will be revised as part of the Department's overall MfR process and is expected to be implemented in FY 2009.

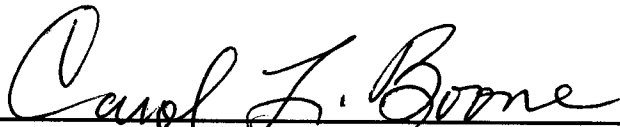
**Target Completion Date:** 7/1/08

**Recommendation C:** Develop written instructions for collecting data and calculating results for all measures.

**Response:** Concur. As previously mentioned, earlier this year the Department began the task of reviewing/updating all performance measures. Now that the majority of the new measures have been identified, the task of documenting definitions for each measure, including instructions for collecting and calculating results can begin. The Department's MfR Coordinator will maintain a completed *MfR Key Result Measure Summary Form* for each performance measure. Reporting responsibilities will also be shared with CTS to ensure accurate and timely reporting.

**Target Completion Date:** 9/30/08

**Approved By:**

  
Chief Juvenile Probation Officer

1/10/09  
Date

  
Judicial Branch Administrator

1/10/09  
Date